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Attorney for Defendant
WING WO MA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

WING WO MA,

Defendant.

No. 15-CR-00529 CRB

DEFENDANT'S PRETRIAL
CONFERENCE STATEMENT AND
TRIAL MEMORANDUM

Pretrial: October 1, 2019
Time: 2:30 p.m.
Hon. Charles R. Breyer

Defendant WING WO MA ("Mr. Ma"), by and through his counsel of record, Adam G. Gasner, hereby submits his Pre-Trial Conference Statement and Trial Memorandum in the above-captioned case.

I. CHARGES

Defendant WING WO MA ("Mr. Ma") is charged in a 4-Count Third Superseding Indictment, filed on October 11, 2018 (DKT. 144), with the following: COUNT ONE: 21 U.S.C. § 846 - Conspiracy to Cultivate and Distribute and to Possess with Intent to Distribute Marijuana; COUNT TWO: 18 U.S.C. § 924(c)(1)(A) - Possession of Firearm In Furtherance of and Use of Firearm During and In Relation to, a Drug Trafficking Crime; COUNT THREE: 18 U.S.C. § 924(j)

- 1 - Use of a Firearm Resulting in Death; and COUNT FOUR: 18 U.S.C. §§ 371, 666, 1343, and 1346
2 - Conspiracy to Commit Honest Services Fraud and Bribery.

3 **II. JENCKS, BRADY, AND GIGLIO DISCLOSURE (Crim. L.R. 17.1-1(b)(1-3))**

4 The government claims to have complied with the required disclosures.

5 **III. STIPULATIONS (Crim. L.R. 17.1-1(b)(4))**

6 There are currently no stipulations; however, the parties anticipate and are meeting and
7 conferring regarding stipulations to the admissibility of certain evidence.

8 **IV. NEED FOR INTERPRETERS (Crim. L.R. 17.1-1(b)(5))**

9 The defendant requires a Cantonese interpreter.

10 **V. DISMISSAL OF COUNTS/ELIMINATION OF ISSUES (Crim. L.R. 17.1-1(b)(6))**

11 No issues.

12 **VI. JOINDER/SEVERANCE (Crim. L.R. 17.1-1(b)(7))**

13 No issues.

14 **VII. INFORMANT/IDENTIFICATION/PRIOR CONVICTIONS (Crim. L.R. 17.1-**
15 **1(b)(8))**

16 Issues related to defendant Mark Ma's three prior misdemeanor convictions are the subject
17 of an *in limine* motion.

18 **VIII. WITNESSES (Crim. L.R. 17.1-1(b)(9))**

19 The defense shall file a witness list in accordance with the amended order for pretrial
20 preparation. (Dkt. 155)

21 **IX. EXHIBITS (Crim. L.R. 17.1-1(b)(10))**

22 The defense objects to the inclusion of any exhibits not produced by the government prior
23 to trial.

X. OBJECTIONS TO EXHIBITS OR TESTIMONY (Crim. L.R. 17.1-1(b)(11))

None currently.

XI. LEGAL ISSUES LIKELY TO ARISE AT TRIAL (Crim. L.R. 17.1-1(b)(12))

None currently.

XII. SCHEDULING (Crim. L.R. 17.1-1(b)(13))

No objections to scheduling.

XIII. JURY VOIRE DIRE (Crim. L.R. 17.1-1(b)(14))

The defense requests to conduct individual voir-dire.

XIV. JURY INSTRUCTIONS (Crim. L.R. 17.1-1(b)(14))

The joint jury instructions proposed by the government are acceptable to the defense subject to the evidence at trial.

DATED: September 20, 2019

Respectfully submitted,

 / S / Adam Gasner
Adam G. Gasner, Esq.
Attorney for Defendant
WING WO MA

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